



10-24-08

JW

PTO/SB/21 (09-08)

Approved for use through 10/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

29

Application Number

10/533,555

Filing Date

May 2, 2005

First Named Inventor

Wei XU

Art Unit

1625

Examiner Name

John MABRY

Attorney Docket Number

EX03-037C-US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Postal Card for Acknowledgment of Receipt.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

This amendment was submitted via Express Mail Post Office to Addressee, Tracking Number EV 938 355 793 US.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Exelixis, Inc.		
Signature			
Printed name	Janice V. Rice		
Date	October 23, 2008	Reg. No.	50,606

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Laura A. Huntington	Date	October 23, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wei Xu, et al.

Application No.: 10/533,555

371(c) Date: May 2, 2005

Group Art Unit: 1625

Confirmation No.: 9452

Examiner: Mabry, John

Title: KINASE MODULATORS

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
Washington, D.C. 22313-1450

Dear Sir:

This response is made to an Office Action mailed July 29, 2008 (hereinafter, "Office Action"), for which a reply is due on October 29, 2008. Claims 1-9, 12-19, and 27-38 are pending. Claims 1-9, 12-19, and 31-28 are rejected. Claims 24-30 have been withdrawn from consideration but are subject to rejoinder. Claims 1, 8, 9, 12, and 13 are currently amended. Claims 2-7, 18, 19, and 27-38 are currently cancelled. Claims 14, 15, 16, and 17 were previously presented. Claims 39-48 are new.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 3.

Remarks begin on page 17.